

Application No. 10/058,456
Reply dated August 4, 2003
Reply to Office Action dated April 3, 2003

Remarks

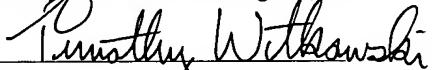
Claims 1 to 8, 11 to 18, and 21 to 28, as amended, are pending.

The Examiner maintained the rejection of claims 1 to 8, 11 to 18, and 21 to 28 under 35 U.S.C. § 103(a) as allegedly unpatentable over Esser *et al.* (WO 96/32939; alleged national stage equivalent: U.S. Patent No. 6,268,389) and DE 3712385.

In response, applicants traverse the rejection and herewith submit the executed Declaration of Hisato Kitagawa Under 37 C.F.R. § 1.132 (hereinafter "the Kitagawa Declaration") which establishes the surprising and unexpected superiority of the compounds of the claimed invention over the compounds of Esser *et al.*

Applicants respectfully submit that all the pending claims are allowable and therefore solicit a Notice of Allowance for all of the pending claims. If the Examiner feels that a telephone interview would be helpful in advancing prosecution of this application, the Examiner is invited to contact the attorney below.

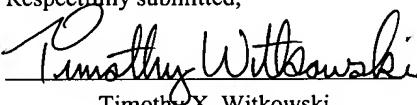
Certificate of Mailing Under 37 C.F.R. § 1.8(a)
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 4, 2003.


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8-4-2003

Dated

Respectfully submitted,


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